

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

EDWARD HENRY,

Plaintiff,

v.

08-CV-483 JCH/ACT

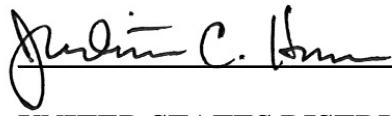
THE HERTZ CORPORATION, a
Delaware corporation doing business in
the State of New Mexico, et al.,

Defendant.

ORDER

This matter comes before the Court on Plaintiff's *Motion for Summary Judgment as to City of Albuquerque Defendants* [Doc. 34]. The Court held a hearing on September 1, 2009, at which it heard argument on Plaintiff's motion as well as on other issues. *See Transcript of Motion Hearing* [Doc. 57]. At the conclusion of the hearing, after having considered Plaintiff's motion, briefs, and arguments at the hearing, the Court denied Plaintiff's motion. *See Transcript at 27.* This Order formalizes the ruling that the Court made during the September 1, 2009 hearing, namely that Plaintiff's motion for summary judgment is denied for the reasons stated in the record at the hearing.

IT IS THEREFORE ORDERED that Plaintiff's *Motion for Summary Judgment as to City of Albuquerque Defendants* [Doc. 34] is DENIED.



UNITED STATES DISTRICT JUDGE